



#3

Declaration for Patent Application

As a below named inventor, I hereby declare that:

Doc.

Number: 1581.0200000/RWE/CBM

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and sole inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Botulinum Toxin and Use Thereof, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on December 12, 1997 ;
as United States Application Number or PCT International Application Number 08/981,087 (U.S. National Phase of PCT/GB96/01409) ; and
was amended on December 12, 1997 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

			Priority Claimed
<u>9511909.5</u> (Application No.)	<u>Great Britain</u> (Country)	<u>12 June 1995</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application No.) _____
(Filing Date)

(Application No.) _____
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/GB96/01409 June 12, 1996
(Application No.) (Filing Date)

Abandoned
(Status - patented, pending, abandoned)

(Application No.) _____
(Filing Date)

(Status - patented, pending, abandoned)

08981087-052798

Send Correspondence to:

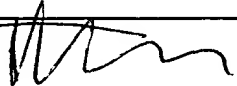


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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <u>Michael J. Elmore</u>	
Inventor's signature <u>Michael Elmore</u>	Date <u>1 May 98</u>
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Third inventor's signature <u>N P Minton</u>	Date <u>5/5/98</u>
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Fourth inventor's signature 	1/05/98 Date
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Fifth inventor's signature 	15-5-98 Date
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PAUSERS\CMASSEY\CBMS\CU1581.020\DECLARAT.WPD
SKGF Rev. 4/3/96

(Supply similar information and signature for subsequent joint inventors, if any)



#3

08/981087

POWER OF ATTORNEY FROM ASSIGNEE WITH DELEGATION

Microbiological Research Authority, a corporation of Great Britain, having a principal place of business at Centre For Applied Microbiology & Research, Porton Down, Salisbury, Wiltshire SP4 0JG Great Britain, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on (1) 1 May 98; (2) 1 May 98; (3) 5 May 98; (4) 1 May 98; and (5) 15 May 98, of an invention known as Type F Botulinum Toxin and Use Thereof (Attorney Docket No. 1581.0200000/RWE/CBM), which is disclosed and claimed in a patent application of the same title by the inventors Michael J. Elmore, Margaret L. Mauchline, Nigel P. Minton, Vladimir A. Pasechnik, and Richard W. Titball (said application filed on December 12, 1997 at the U.S. Patent and Trademark Office, having Application Number 08/981,087).

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The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Registration No. 28,912; Edward J. Kessler, Registration No. 25,688; Jorge A. Goldstein, Registration No. 29,021; Samuel L. Fox, Registration No. 30,353; David K.S. Cornwell, Registration No. 31,944; Robert W. Esmond, Registration No. 32,893; Tracy-Gene G. Durkin, Registration No. 32,831; Michele A. Cimbal, Registration No. 33,851; Michael B. Ray, Registration No. 33,997; Robert E. Sokohl, Registration No. 36,013; Eric K. Steffe, Registration No. 36,688; and Michael Q. Lee, Registration No. 35,239. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

The Assignee hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Mathys & Squire, 100 Gray's Inn Road, London WC1X 8AL, Great Britain as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the Assignee. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the Assignee.

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FOR: Microbiological Research Authority

SIGNATURE: [Signature]

BY: J M HARKER

TITLE: SECRETARY MRA (Cammr)

DATE: 15 May 1998

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